

**Remarks****Claim Rejections – 35 USC § 102**

Claim 1 and 10 have been amended to recite that the communications network is "configured to require a mobile station to include a SIM card to connect to said communications network". This amendment does not raise any new issues as it relates to the arguments presented on pages 6 and 7 of the previous response.

As stated in the previous response, Miyashita discloses the use of a mobile station which is configured such that it can connect to two different network types (see, for example, Column 1 lines 8 to 16). The type of network to which it connects depends on whether or not a SIM card is present. If the SIM card is present then the mobile station connects to a GSM communications network. If there is no SIM card present the mobile station connects to a PHS network. PHS networks are common in Japan and do not require a SIM card to be present in the mobile station for the mobile station to connect to the network.

In contrast, what Claim 1 states, "using the said information to carry out substantially standard call set-up procedures to connect said mobile station to said cellular mobile communications network". The communications network is "configured to require a SIM card to connect to said communications network". Thus the present invention is directed towards connecting a mobile station to a network requiring the presence of a SIM card if a SIM card is not present.

Applicants submit that on reading Miyashita one skilled in the art would merely learn to allow a mobile station to connect to communications network by the presence of the SIM card from the mobile station when a SIM card is present in the mobile station, or if the SIM card is not present in the mobile station, to connect to an alternative network not requiring the SIM card to be present. In contrast, the present invention allows a mobile station to connect to a communications network requiring the presence of a SIM card in the mobile station even in the absence of a SIM card.

Therefore, applicants submit that Claim 1 is not anticipated by Miyashita.

Claim 10 also recites the feature of "a network requiring a mobile station to include a SIM card " and configured to "provision a sub-set of the wireless communications services to a

mobile station when a SIM card is absent from said mobile station". Applicants therefore submit that, for the same reasons as given for Claim 10, is not anticipated by Miyashita.

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Claim 5 has been amended to recite that the cellular mobile radio network is "configured to require a mobile station to include a SIM card to connect to it". Claim 5 further states that the mobile station has an identity database which can be accessed "in the absence of a SIM card in order to obtain identity information to use during interaction with the same communications network during call set-up". Therefore, for the same reasons as given above, applicants submit that Miyashita does not show this feature of Claim 5.

The Examiner states in paragraph 4 of page 2 that "the ability to store default data "anywhere" is taught by the combination of the prior art since Miyashita has a default setting (e.g. storage of steps to take if the SIM card is not present) and Wichmann teaches storing of data off-line".

Applicants submit that for the reasons given above, although Miyashita has a default setting, i.e. will connect to a network not requiring a SIM card to be present, in the absence of a SIM card in the mobile station, nowhere does Miyashita disclose or even suggest connecting to a network requiring the presence of a SIM card in the mobile station in the absence of a SIM card in the mobile station.

Wichmann also does not disclose connecting to a cellular mobile network requiring the presence of a SIM card (Wichmann is concerned with the GSM network) without a SIM card being present in the mobile station. Rather, applicants submit that in order to access the SIM card database in Wichmann the mobile terminal would have to be connected to the network and for this to be the case the SIM card would have to be present in the mobile station.

For these reasons it is submitted that Claim 5 would not have been obvious in view of the combination of Miyashita and Wichmann.

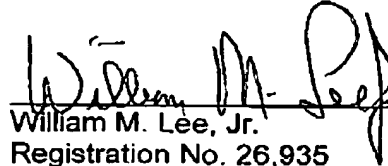
Claims 8 and 9 have been cancelled.

Applicants submit that Claims 2 to 4, 6, 7 and 10 to 15 are not anticipated or obvious in view of Miyashita and Wichmann at least by virtue of their dependencies.

Further and favorable reconsideration is therefore urged.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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